

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALLIANZ RISK TRANSFER AG,
MARATHON STRUCTURED FINANCE
FUND, LP, NEWSTAR FINANCIAL, INC.,
and MUNICH RE CAPITAL MARKETS
NEW YORK, INC.,

Plaintiffs,

v.

PARAMOUNT PICTURES
CORPORATION,

Defendant.

No. 1:08-CV-10420 (TPG)

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the Third Amended Complaint dated February 15, 2012; the accompanying Omnibus Declaration of Patrick J. Somers dated October 7, 2014, and its exhibits; the accompanying Memorandum of Law (the “Memorandum of Law”) in Support of Defendant’s Motion *In Limine* No. 4 To Exclude Evidence of Alleged Oral Misrepresentations Not Plead in the Third Amended Complaint, and all other papers and proceedings in this action, Defendant Paramount Pictures Corporation (“Paramount”) will move this Court, before the Honorable Thomas P. Griesa, United States District Judge for the Southern District of New York, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 26B, New York, New York 10007, at a date and time to be determined by the Court, for an Order, pursuant to Rule 802 of the Federal Rules of Evidence, Rule 9(b) of the Federal Rules of Civil Procedure, and the Private Securities Litigation Reform Act of 1995 (“PSLRA”), 15 U.S.C. § 78u–4(b), precluding Plaintiffs from introducing testimony or evidence at trial regarding alleged oral misrepresentations made by Paramount.

The basis for the motion is set forth in the Memorandum of Law and other papers
Paramount is submitting on this motion.

Dated: October 7, 2014
New York, New York

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

By: s/Allan J. Arffa

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